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H – 1053

International Court of Justice

H1053 - 0002

OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946.

27 July 1946

COMMISSIONER:

Mr. Igor Rasumov

THE GENERAL STAFF

(The Commission reconvened at 1215 hours)

COMMISSIONER:

Before we proceed, I would like to state that the Commission will work today until twenty minutes to one.

Q. Witness, will you state your full name please?

A. Hans Roettiger.

Q. Please stand up. Raise your right hand and repeat after me.: I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

(The witness repeated the oath.)

COMMISSIONER: Dr. Laternser, will you examine the witness. Will you please tell first the object of your examination?

DR. LATERNSER: I should like to examine the witness with regards to the affidavits #15 and #16 that he gave.

COMMISSIONER: Very well. 15 and 16. Have you many questions? For how long do you intend to examine the witness?

DR. LATERNSER: I cannot tell you exactly.

COMMISSIONER: Approximately

DR. LATERNSER: Maybe I can finish the examination during the time that is at my disposal.

H1053 - 0003

Cross ex

DIRECT EXAMINATION

BY DR. LATERNSER:

Q. Witness, you have given affidavits #15 and 16, which I show you and ask you to read them.

A. Yes, I have read them.

Q. First of all I should like to put a few questions with regards to the affidavit #15. First paragraph you state and I quote: "During such operations and this means operations against Partisans troops were ordered by the highest authority, for instance, by the OKH to implore the severest methods." When you use the words "severest methods" in this sentence, do you mean severest methods that were permitted or such methods that were not permitted?

A. I meant the methods which were in general used in military warfare - the severest way of using them, especially against Partisans.

Q. You mention in this sentence orders that were issued by the High Command of the Army. Have you ever received orders from the OKH with regard to fight against Partisans that included orders contrary to international law?

A. No.

Q. You state in the second paragraph and I quote: "In the beginning in accordance with instructions which came to us through channels from the Army group, prisoners were taken only in exceptional cases." When you use the words "in the beginning", can you tell us specifically which period you mean?

A. It is approximately the period from fall of the year of 1942 onwards.

Q. It is exactly the period then when you joined the Fourth Army?

A. I joined the Fourth Army in Spring.

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H1053 - 0004

Q. You say in this sentence that in accordance with instructions which came to you through channels from the Army group, prisoners were taken only in exceptional cases. What orders do you mean by that?

A. It was the general idea of these orders that were given with the view to fight against Partisans that no pardon was to be given whenever the Partisans did not surrender. May I give some explanation in that respect. During the hearing which preceding the drafting of this affidavit and of which this affidavit constitutes, if I may express myself in substance, the person who examined me, have admitted that also the enemy made use of very severe methods in his warfare.

Q. If I understand you well, and I ask you to correct me if this is not the case. You received orders through ordinary channels from Army groups that in fighting Partisans, prisoners had only to be taken in exceptional cases?

A. No, this wasn't the whole framework of these severe methods, and the orders were issued and they meant we should implore the most severe methods to the annihilation of the enemy, and if these orders were carried out it was quite natural that we made very few prisoners.

Q. These orders referred only to combat, but, witness, you must admit that in this case the sentence I just quoted from your affidavit that reads that in the beginning, prisoners were taken only in exceptional cases, is being misunderstood, because in this sentence also cases could be included in which prisoners were killed after their capture. This was not meant?

A. No, it was not meant.

Q. In the third paragraph of your affidavit you stated the following and I quote: "The enemy dead mentioned in official reports were very numerous in comparison with our own dead."

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H1053-0005

Isn't it a well known fact that the combat troops when reporting the number of the enemy dead frequently exaggerated?

A. Yes. I have already expressed that opinion on the occasion of the previous hearing and have only stated in my affidavit that the official reports spoke of very numerous enemy dead in comparison of our own dead.

A. So ~~xxxx~~ without the expression that you gave just now, this sentence may lead to misunderstanding?

A. At that time I have only admitted a fact which I was reminded of on the ground of documents, reports, etc. that were shown to me.

Q. You say when you summarize the substance of paragraphs two and three of your affidavit, you arrive at the following conclusion. There were orders which came from a higher authority to take only few prisoners and on the other hand official reports stated that the enemy dead were very numerous in comparison of our own dead. One might conclude from the wording of these two paragraphs that there were orders issued by higher authority to execute prisoners and that this was the reason why the enemy dead were very numerous in comparison with the own dead. Did you want to express that?

A. No.

Q. The last paragraph reads as follows and I ~~xx~~ quote: "This is one of the reasons which have now brought me to the realization that the real purpose of the counter-Partisan warfare which we conducted was to use these military operations of the Army, so as to make possible the ruthless liquidation of Jewry and the other undesired elements." Which were the documents that you were shown ~~xx~~ in this connection?

A. As far as I can remember, and I cannot remember exactly, because this hearing took place about a year ago, I was shown the minutes of a meeting which took place under the chairmanship of Hitler himself, but I'm positive

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H1053 - 0006

there were no orders shown to me - it was only that I may have seen a memorandum.

COMMISSIONER: Witness, can you make your sentences a little shorter?

THE WITNESS: Yes.

A. On the ground of these documents were entirely new for me and I arrived at the conclusion that this was the actual goal of Partisan warfare and I think I owe it to the soldiers who were in the battle to state that we, the military leaders, did not know ~~xxxxx~~ anything about these intentions.

Q. So, if it is stated in the last paragraph of your affidavit that the real purpose of the counter-Partisan warfare was to make possible the ruthless liquidation of Jewry and other undesired elements, - who is that you mean with it?

A. As far as I know about the high command, I never participated in it. This can only have been the idea of Hitler himself.

Q. Have you, during the whole war, ever received an order from a superior command of the armed forces from which you could have drawn such conclusions?

A. No, neither an oral nor a written order.

Q. You were the chief of the general staff of the Fourth Army?

A. Yes.

Q. Who was the commander in chief?

A. At that time Heinrici.

Q. And within your Army, the military rules and the counter-Partisan warfare were strictly observed, weren't they?

A. Yes.

Q. ~~Would~~ Did you ever hear of a case in which Heinrici had received a report that a member of the air forces had raped a Russian woman and was immediately transferred to the competent court?

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H1053 - 0007

DR. KEMPNER: I object. We are cross examining about the affidavit, not about the rape of a Russian woman, and General Heinrici has nothing to do with this whole affair now.

COMMISSIONER: I think the Commission will adjourn until Monday morning.

Adjourned: 1240 hours

The foregoing is a true and correct transcript of the testimony of HANS ROETTIGER, taken on 27 July 1946.

Bernice Winkler
Reporter (pp. 1 - 6)

CERTIFIED TO:

I Rasmor
Commissioner

C
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P
Y

Com. B.
Take three - page 1
Winkler
27 July 1946
Roettiger
1200 - 1300

Denny

H1053 - 0008

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27 July 1946

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Mr. Igor Rasumov

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Q. Please stand up. Raise your right hand and repeat after me: I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

(The witness repeated the oath.)

COMMISSIONER: Dr. Laternser, will you examine the witness. Will you please tell first the object of your examination?

DR. LATERNSER: I should like to examine the witness with regards to the affidavits #15 and #16 that he gave.

COMMISSIONER: Very well. 15 and 16. Have you many questions? For how long do you intend to examine the witness?

DR. LATERNSER: I cannot tell you exactly.

COMMISSIONER: Approximately.

H1053 - 0009

DR. LATERNSER: Maybe I can finish the examination during the time that is at my disposal.

CROSS EXAMINATION

BY DR. LATERNSER:

Q. Witness, you have given affidavits #15 and 16, which I show you and ask you to read them.

A. Yes, I have read them.

Q. First of all I should like to put a few questions with regards to the affidavit #15. First paragraph you state and I quote: "During such operations and this means operations against Partisans troops were ordered by the highest authority, for instance, by the OKH to employ the severest methods." When you use the words "severest methods" in this sentence, do you mean severest methods that were permitted or such methods that were not permitted?

A. I meant the methods which were in general used in military warfare - the severest way of using them, especially against Partisans.

Q. You mention in this sentence orders that were issued by the High Command of the Army. Have you ever received orders from the OKH with regard to fight against Partisans that included orders contrary to international law?

A. No.

Q. You state in the second paragraph and I quote: "In the beginning in accordance with instructions which came to us through channels from the Army group, prisoners were taken only in exceptional cases." When you use the words "in the beginning", can you tell us specifically which period you mean?

A. It is approximately the period from fall of the year of 1942 onwards.

Q. It is exactly the period then when you joined the Fourth Army?

A. I joined the Fourth Army in Spring.

H1053 - 0010

Q. You say in this sentence that in accordance with instructions which came to you through channels from the Army group, prisoners were taken only in exceptional cases. What orders do you mean by that?

A. It was the general idea of these orders that were given with the view to fight against Partisans that no pardon was to be given whenever the Partisans did not surrender. May I give some explanation in that respect. During the hearing which preceded the drafting of this affidavit and of which this affidavit constitutes, if I may express myself in substance, the person who examined me, have admitted that also the enemy made use of very severe methods in his warfare.

Q. If I understand you well, and I ask you to correct me if this is not the case. You received orders through ordinary channels from Army groups that in fighting Partisans, prisoners had only to be taken in exceptional cases?

A. No, this wasn't the whole framework of these severe methods, and the orders were issued and they meant we should employ the most severe methods to the annihilation of the enemy, and if these orders were carried out it was quite natural that we made very few prisoners.

Q. These orders referred only to combat, but, witness, you must admit that in this case the sentence I just quoted from your affidavit that reads that in the beginning, prisoners were taken only in exceptional cases, is being misunderstood, because in this sentence also cases could be included in which prisoners were killed after their capture. This was not meant?

A. No, it was not meant.

Q. In the third paragraph of your affidavit you stated the following and I quote: "The enemy dead mentioned in official reports were very numerous in comparison with our own dead."

H1053 - 0011

Isn't it a well known fact that the combat troops when reporting the number of the enemy dead frequently exaggerated?

A. Yes, I have already expressed that opinion on the occasion of the previous hearing and have only stated in my affidavit that the official reports spoke of very numerous enemy dead in comparison of our own dead.

Q. So without the expression that you gave just now, this sentence may lead to misunderstanding?

A. At that time I have only admitted a fact which I was reminded of on the ground of documents, reports, etc. that were shown to me.

Q. You say when you summarize the substance of paragraphs two and three of your affidavit, you arrive at the following conclusion. There were orders which came from a higher authority to take only few prisoners and on the other hand official reports stated that the enemy dead were very numerous in comparison of our own dead. One might conclude from the wording of these two paragraphs that there were orders issued by higher authority to execute prisoners and that this was the reason why the enemy dead were very numerous in comparison with the own dead. Did you want to express that?

A. No.

Q. The last paragraph reads as follows and I quote: "This is one of the reasons which have now brought me to the realization that the real purpose of the counter-Partisan warfare which we conducted was to use these military operations of the Army, so as to make possible the ruthless liquidation of Jewry and the other undesired elements." Which were the documents that you were shown in this connection?

A. As far as I can remember, and I cannot remember exactly, because this hearing took place about a year ago, I was shown the minutes of a meeting which took place under the chairmanship of Hitler himself, but I'm positive

H1053-0012

there were no orders shown to me - it was only that I may have seen a memorandum.

COMMISSIONER: Witness, can you make your sentences a little shorter?

THE WITNESS: Yes.

A. On the ground of these documents were entirely new for me and I arrived at the conclusion that this was the actual goal of Partisan warfare and I think I owe it to the soldiers who were in the battle to state that we, the military leaders, did not know anything about these intentions.

Q. So, if it is stated in the last paragraph of your affidavit that the real purpose of the counter-Partisan warfare was to make possible the ruthless liquidation of Jewry and other undesired elements, - who is that you mean with it?

A. As far as I know about the high command, I never participated in it. This can only have been the idea of Hitler himself.

Q. Have you, during the whole war, ever received an order from a superior command of the armed forces from which you could have drawn such conclusions?

A. No, neither an oral nor a written order.

Q. You were the chief of the general staff of the Fourth Army?

A. Yes.

Q. Who was the commander in chief?

A. At that time Heinrici.

Q. And within your Army, the military rules and the counter-Partisan warfare were strictly observed, weren't they?

A. Yes.

Q. Did you ever hear of a case in which Heinrici had received a report that a member of the air forces had raped a Russian woman and was immediately transferred to the competent court?

H1053-0013

DR. KEMPENR: I object. We are cross examining about the affidavit, not about the rape of a Russian woman, and General Heinrici has nothing to do with this whole affair now.

COMMISSIONER: I think the Commission will adjourn until Monday morning.

Adjourned: 1240 hours

The foregoing is a true and correct transcript of the testimony of HANS ROETTIGER, taken on 27 July 1946.

/s/ Bernice Winkler
Reporter (pp. 1-6)

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Com. B.
Take three - page 1
Winkler
27 July 1946
Roettiger
1200 - 1300

Dealvorwurf

H1053 - 0014

OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946.

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Q. Witness, will you state your full name please?

A. Hans Roettiger.

Q. Please stand up. Raise your right hand and repeat after me: I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

(The witness repeated the oath.)

COMMISSIONER: Dr. Laternser, will you examine the witness. Will you please tell first the object of your examination?

DR. LATERNSER: I should like to examine the witness with regards to the affidavits #15 and #16 that he gave.

COMMISSIONER: Very well. 15 and 16. Have you many questions? For how long do you intend to examine the witness?

DR. LATERNSER: I cannot tell you exactly.

COMMISSIONER: Approximately.

H1053 - 0015

DR. LATERNSER: Maybe I can finish the examination during the time that is at my disposal.

CROSS EXAMINATION

BY DR. LATERNSER:

Q. Witness, you have given affidavits #15 and 16, which I show you and ask you to read them.

A. Yes, I have read them.

Q. First of all I should like to put a few questions with regards to the affidavit #15. First paragraph you state and I quote: "During such operations and this means operations against Partisans troops were ordered by the highest authority, for instance, by the OKH to employ the severest methods." When you use the words "severest methods" in this sentence, do you mean severest methods that were permitted or such methods that were not permitted?

A. I meant the methods which were in general used in military warfare - the severest way of using them, especially against Partisans.

Q. You mention in this sentence orders that were issued by the High Command of the Army. Have you ever received orders from the OKH with regard to fight against Partisans that included orders contrary to international law?

A. No.

Q. You state in the second paragraph and I quote: "In the beginning in accordance with instructions which came to us through channels from the Army group, prisoners were taken only in exceptional cases." When you use the words "in the beginning", can you tell us specifically which period you mean?

A. It is approximately the period from fall of the year of 1942 onwards.

Q. It is exactly the period then when you joined the Fourth Army?

A. I joined the Fourth Army in Spring.

H1053 - 0016

Q. You say in this sentence that in accordance with instructions which came to you through channels from the Army group, prisoners were taken only in exceptional cases. What orders do you mean by that?

A. It was the general idea of these orders that were given with the view to fight against Partisans that no pardon was to be given whenever the Partisans did not surrender. May I give some explanation in that respect. During the hearing which preceded the drafting of this affidavit and of which this affidavit constitutes, if I may express myself in substance, the person who examined me, have admitted that also the enemy made use of very severe methods in his warfare.

Q. If I understand you well, and I ask you to correct me if this is not the case. You received orders through ordinary channels from Army groups that in fighting Partisans, prisoners had only to be taken in exceptional cases?

A. No, this wasn't the whole framework of these severe methods, and the orders were issued and they meant we should employ the most severe methods to the annihilation of the enemy, and if these orders were carried out it was quite natural that we made very few prisoners.

Q. These orders referred only to combat, but, witness, you must admit that in this case the sentence I just quoted from your affidavit that reads that in the beginning, prisoners were taken only in exceptional cases, is being misunderstood, because in this sentence also cases could be included in which prisoners were killed after their capture. This was not meant?

A. No, it was not meant.

Q. In the third paragraph of your affidavit you stated the following and I quote: "The enemy dead mentioned in official reports were very numerous in comparison with our own dead."

H1053 - 0017

Isn't it a well known fact that the combat troops when reporting the number of the enemy dead frequently exaggerated?

A. Yes, I have already expressed that opinion on the occasion of the previous hearing and have only stated in my affidavit that the official reports spoke of very numerous enemy dead in comparison of our own dead.

Q. So without the expression that you gave just now, this sentence may lead to misunderstanding?

A. At that time I have only admitted a fact which I was reminded of on the ground of documents, reports, etc. that were shown to me.

Q. You say when you summarize the substance of paragraphs two and three of your affidavit, you arrive at the following conclusion. There were orders which came from a higher authority to take only few prisoners and on the other hand official reports stated that the enemy dead were very numerous in comparison of our own dead. One might conclude from the wording of these two paragraphs that there were orders issued by higher authority to execute prisoners and that this was the reason why the enemy dead were very numerous in comparison with the own dead. Did you want to express that?

A. No.

Q. The last paragraph reads as follows and I quote: "This is one of the reasons which have now brought me to the realization that the real purpose of the counter-Partisan warfare which we conducted was to use these military operations of the Army, so as to make possible the ruthless liquidation of Jewry and the other undesired elements." Which were the documents that you were shown in this connection?

A. As far as I can remember, and I cannot remember exactly, because this hearing took place about a year ago, I was shown the minutes of a meeting which took place under the chairmanship of Hitler himself, but I'm positive

H1053 - 0018

there were no orders shown to me - it was only that I may have seen a memorandum.

COMMISSIONER: Witness, can you make your sentences a little shorter?

THE WITNESS: Yes.

A. On the ground of these documents were entirely new for me and I arrived at the conclusion that this was the actual goal of Partisan warfare and I think I owe it to the soldiers who were in the battle to state that we, the military leaders, did not know anything about these intentions.

Q. So, if it is stated in the last paragraph of your affidavit that the real purpose of the counter-Partisan warfare was to make possible the ruthless liquidation of Jewry and other undesired elements, - who is that you mean with it?

A. As far as I know about the high command, I never participated in it. This can only have been the idea of Hitler himself.

Q. Have you, during the whole war, ever received an order from a superior command of the armed forces from which you could have drawn such conclusions?

A. No, neither an oral nor a written order.

Q. You were the chief of the general staff of the Fourth Army?

A. Yes.

Q. Who was the commander in chief?

A. At that time Heinrici.

Q. And within your Army, the military rules and the counter-Partisan warfare were strictly observed, weren't they?

A. Yes.

Q. Did you ever hear of a case in which Heinrici had received a report that a member of the air forces had raped a Russian woman and was immediately transferred to the competent court?

H1053 - 0019

DR. KEMPNER: I object. We are cross examining about the affidavit, not about the rape of a Russian woman, and General Heinrici has nothing to do with this whole affair now.

COMMISSIONER: I think the Commission will adjourn until Monday morning.

Adjourned: 1240 hours

The foregoing is a true and correct transcript of the testimony of HANS ROETTIGER, taken on 27 July 1946.

/s/ Bernice Winkler
Reporter (pp. 1-6)

H1053 - 0020

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Q Please stand up. Raise your right hand and repeat after me:

I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

(The witness repeated the oath)

COMMISSIONER: Dr. Laternser, will you examine the witness. Will you please tell me first the object of your examination?

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DR. LATERNSER: I cannot tell you exactly.

COMMISSIONER: Approximately.

DR. LATERNSER: Maybe I can finish the examination during the time that is at my disposal.

CROSS EXAMINATION

BY DR. LATERNSER:

Q Witness, you have been given affidavits #15 and 16, which I show you and ask you to read them.

A Yes, I have read them.

H1053-0021

Q First of all, I should like to put a few questions with regards to the affidavit #15. First paragraph you state and I quote: "During such operations and this means operations against Partisans troops were ordered by the highest authority, for instance, by the OKH to implore the severest methods." When you use the words "severest methods" in this sentence, do you mean severest methods that were permitted or such methods that were not permitted?

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A No.

Q You state in the second paragraph and I quote: "In the beginning in accordance with instructions which came to us through channels from the Army group, prisoners were taken only in exceptional cases." When you use the words "in the beginning", can you tell us specifically which period you mean?

A It is approximately the period from the fall of the year 1942 onwards.

Q It is exactly the period when you joined the Fourth Army?

A I joined the Fourth Army in Spring.

Q You say in this sentence that in accordance with instructions which came to you through channels from the Army group, prisoners were taken only in exceptional cases. What orders do you mean by that?

A It was the general idea of these orders that were given with t. view to fight against the Partisans that no pardon was to be given whenever the Partisans did not surrender. May I give some explanationin that respect During the hearing which preceding the drafting of this affidavit and of which this affidavit constitutes, if I may express myself in substance, the person who examined me, have admitted that also the enemy made use of very severe methods in warfare.

Q If I understand you well, and I ask you tocorrect me if thisis not the case. You received orders through ordinary channels from Army groups

H1053-0022

that in fighting Partisans, prisoners hadonly to be taken in exceptional cases?

A No, this wasn't the whole framework of these severe methods, and the orders were issued and they meant that we should implore themost severe methods to the annihilation of the enemy, and if these orders were carried out it was quite natural that we made very few prisoners.

Q These orders referred only to combat, but, witness, you must admi that in this case the sentence I just quoted from your affidavit that reads that in the beginning, prisoners were taken only in exceptional cases, is being misunderstood, because in this sentence also cases could be included in which prisoners were killed after their capture. That was not meant?

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A No.

H1053 - 0023

Q The last paragraph reads as follows and I quote: "This is one of the reasons which have now brought me to the realization that the real purpose of the counter-Partisan warfare which we conducted was to use these military operations of the Army, so as to make possible the ruthless liquidation of Jewry and other undesired elements." Which were the documents that you were shown in this connection?

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THE WITNESS: Yes.

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Q So, if it is stated in thelast paragraph of your affidavit that the real purpose of the counter-Partisan warfare wasto make possible the ruthless liquidation of Jewry and other undesired elements - who is that you mean with it?

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Q Have you, during the whole war, ever received an order from a superior command of the armed forces from which you could have drawn such conclusions?

A No, neither an oral nor a written order.

Q You were the chief of the genral staff of the Fourth Army?

A Yes.

Q Who was commander in chief?

A At that time Heinrici.

Q And within your Army, the military rules andthe counter-Partisan warfare were strictly obssrved, weren't they?

H1053 - 0024

A Yes.

Q Did you ever hear of a case in which Heinrici had received a report that a member of the air forces had raped a Russian woman and was immediately transferred to the competent court?

DR. KEMPNER: I object. We are cross examining about the affidavit, not about the rape of a Russian woman, and General Heinrici has nothing to do with this whole affair now.

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Reporter

CERTIFIED TO:

I. Rasumov